

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

**IN THE MATTER OF CHARGES FILED AGAINST)
POLICE OFFICER BEN CHEREK) No. 08 PB 2689
STAR No. 15983, DEPARTMENT OF POLICE,)
CITY OF CHICAGO,)
RESPONDENT.) (CR No. 1011431)**

ORDER

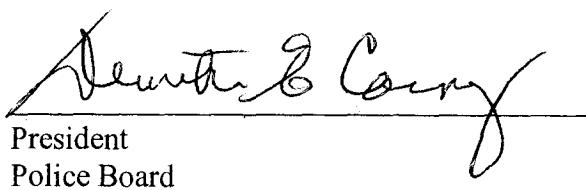
On June 3, 2008, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Police Officer Ben Cherek, Star No. 15983, recommending that the Respondent be discharged from the Chicago Police Department for violating several Rules of Conduct (a copy of the charges and specifications is attached hereto as Exhibit A).

On July 29, 2008, the Superintendent moved to withdraw the charges against the Respondent, with leave to reinstate, because the Respondent resigned his position with the Department of Police of the City of Chicago.

The Police Board of the City of Chicago, having considered the Superintendent's motion to withdraw the charges against the Respondent, with leave to reinstate, hereby orders that the Superintendent's motion is granted.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 21st DAY OF AUGUST, 2008.

Attested by:


President
Police Board



Executive Director
Police Board

CHARGES

Police Officer Ben Cherek, Star Number 15983, is charged with violating the following rules contained in Article V of the Rules and Regulations of the Chicago Police Department, which were in full force and effect on the dates of the alleged violations.

- Rule 1: Violation of any law or ordinance.
- Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
- Rule 6: Disobedience of an order or directive, whether written or oral.

SPECIFICATIONS

- I. Police Officer Ben Cherek, Star Number 15983, is charged with violating Rule 1, "Violation of any law or ordinance," in the following instance:

On or about December 4, 2007, Police Officer Ben Cherek appeared at the Random Drug Testing Unit, located at or about 3510 S. Michigan Avenue, Chicago, Illinois, and provided a urine specimen that contained Cocaine metabolites, and thus on or before that date Police Officer Cherek was in possession of Cocaine, in violation of section 720 ILCS 570/402.

- II. Police Officer Ben Cherek, Star Number 15983, is charged with violating Rule 2, "Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department," in the following instances:

On or about December 4, 2007, Police Officer Ben Cherek appeared at the Random Drug Testing Unit, located at or about 3510 S. Michigan Avenue, Chicago, Illinois, and provided a urine specimen that contained Cocaine metabolites, thereby impeding the Department's efforts to achieve its policy and/or goals and/or bringing discredit upon the Department.

- III. Police Officer Ben Cherek, Star Number 15983, is charged with violating Rule 6, "Disobedience of an order or directive, whether written or oral," in the following instances:

On or about December 4, 2007, Police Officer Ben Cherek appeared at the Random Drug Testing Unit, located at or about 3510 S. Michigan Avenue, Chicago, Illinois, and provided a urine specimen that contained Cocaine metabolites, and thus on or before that date Police Officer Cherek engaged in the illegal use of drugs, in violation of Administrative Special Order 05-01, Article III, Section B.

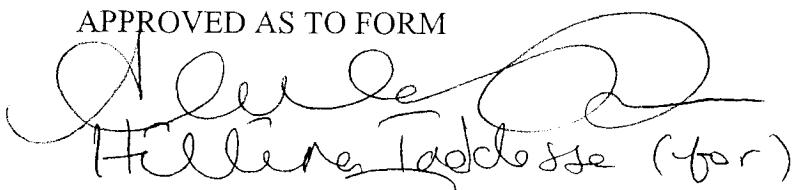
Ex. A

Based on the foregoing charges and specifications, the Superintendent recommends that Police Officer Ben Cherek, Star Number 15983, be discharged from the Chicago Police Department.



JODY P. WEIS
Superintendent of Police

APPROVED AS TO FORM



Aracely Muñoz Petrich
Assistant Corporation Counsel

P.B. CASE # FILED

08-2689 JUN 03 2008

CHICAGO POLICE BOARD